

and injuriously affect its quality and strength, and had been substituted in part for cocoa.

Misbranding was alleged for the reason that the said drums and barrel bore labels representing that the contents thereof were pure cocoa, whereas cocoa shells had been mixed and packed with and substituted in part for cocoa. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article, namely, cocoa.

On June 15, 1928, E. & A. Opler, Inc., Chicago, Ill., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, conditioned in part that it should not be sold or otherwise disposed of contrary to law, and that the containers be relabeled to show the contents thereof.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15778. Adulteration of walnuts. U. S. v. 10 Bags of Walnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22295. I. S. No. 20419-x. S. No. 345.)

On December 17, 1927, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 bags of walnuts, remaining unsold at Alexandria, Va., alleging that the article had been shipped by the Frank P. Kruger Co., Inc., New York, N. Y., on or about October 1, 1927, and transported from the State of New York into the State of Virginia, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On June 4, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15779. Adulteration of fig bars. U. S. v. 72 Boxes of Fig Bars. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22301. I. S. No. 17535-x. S. No. 335.)

On December 17, 1927, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 72 boxes of fig bars, remaining in the original packages at Phoenix, Ariz., alleging that the article had been shipped by the Old Mission Fig Bar Co., from Oakland, Calif., in part on or about November 8, 1927, and in part on or about November 12, 1927, and had been transported from the State of California into the State of Arizona, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Old Mission Fig Bars Made by Mothers Cookie Co., Oakland, Calif. Whole Wheat 12 Lbs. Net Weight Sun Mercantile Co., Phoenix, Ariz."

It was alleged in substance in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance and was unfit for food.

On April 16, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15780. Adulteration of grapefruit. U. S. v. 332 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22691. I. S. No. 22003-x. S. No. 655.)

On or about March 3, 1928, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 332 boxes of grapefruit, remaining in the original unbroken packages at Denver, Colo., consigned by L. Maxcy, Inc., South Lake Weir, Fla., alleging that the article had been shipped from South Lake Weir, Fla., on or about February 21, 1928, and transported from the State of Florida into the